

## REMARKS

### Status of the Claims

Claims 1-30 are pending. Claims 16-20 have been canceled without prejudice or disclaimer of the subject matter claimed therein.

Claims 1-18, 21-23, 25-28, and 30 have been amended to conform with U.S. patent practice, to correct typographical errors, and to delete the recitation of "or an *in vivo* hydrolysable ester". The amendments to the claims do not introduce prohibited new matter.

Applicants reserve the right to file divisional and/or continuation applications to pursue the subject matter deleted from the claims as originally filed.

### Objections of the Claims

Claims 4-9 and 12-30 are objected under 37C.F.R. §1.75(c) as being in improper form because a multiple dependent claim cannot depend from another multiple dependent claim.

Claims 16-20 have been canceled without prejudice or disclaimer of the subject matter claimed therein. Claims 4-9, 12-15, 21-23, and 25-30 have been amended to depend from claim 1. Accordingly, the claims as they stand are in proper form.

### Rejection of the Claims Under 35 U.S.C. § 112, First Paragraph

Claims 1-3, 10 and 11 are rejected under 35 U.S.C. § 112, first paragraph as allegedly lacking enablement for an *in vivo* hydrolysable ester of a compound of formula (I).

Without acquiescing to the propriety of the rejection, Applicants have amended the claims to delete the phrases "*in vivo* hydrolysable ester" in the interest of expediting prosecution of the application. Accordingly, the rejection is deemed moot.

### U.S. Patents and Pending U.S. Applications

Applicants respectfully provide the status of pending U.S. applications with the same assignee that may be considered to be technically related for the Examiner's consideration.

Application	Status
10/507,081	Patent 7,465,728
10/507,162	Patent 7,485,638
10/507,163	Patent 7,446,105
10/507,169	Patent 7,442,697
10/556,561	Patent 7,427,626
10/556,607	Pending; Response to Non-Final Office Action filed
11/769,102	Pending; Ready for Examination
11/769,113	Pending; Ready for Examination
11/793,254	Pending; Ready for Examination
11/817,389	Pending; Preexam Processing
11/995,159	Pending; Ready for Examination
12/088,678	Pending; Ready for Examination
12/088,899	Pending; Ready for Examination
12/089,008	Pending; Ready for Examination
12/302,364	Pending; Preexam Processing
12/302,367	Pending; Preexam Processing
12/304,003	Pending; Preexam Processing

### Conclusion

The foregoing amendments and remarks are being made to place the application in condition for allowance. Applicants respectfully request entry of the amendments, reconsideration, and the timely allowance of the pending claims. A favorable action is awaited. Should an interview be helpful to further prosecution of this application, the Examiner is invited to telephone the undersigned.

If there are any additional fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time

under 37 C.F.R. §1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully Submitted,  
**Morgan Lewis & Bockius LLP**

Date: March 23, 2009  
Morgan Lewis & Bockius LLP  
Customer No. 09629  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Tel. No.: 202-739-3000

By: /Sally Teng/  
Sally P. Teng  
Registration No. 45,397  
Tel. No.: (202) 739-5734  
Fax No.: (202) 739-3001